

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nancy Gambino

Cr.: 2:01-CR-663

Name of Sentencing Judicial Officer: Dennis M. Cavanaugh

Date of Original Sentence: 08/01/02

Original Offense: Importation of Ecstasy in violation of Title 21 U.S.C. § 952

Original Sentence: 48 months imprisonment

Type of Supervision: TSR (3 years)

Date Supervision Commenced: 11/09/05

Assistant U.S. Attorney: Matt Boxer

Defense Attorney: Kevin Carlucci

PETITIONING THE COURT

☐ To issue a warrant

☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	The offender has violated the supervision condition which states ' The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office. '
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On December 7, 2005, February 16, May 31, June 29, July 13, and October 19, 2006, and September 21, 2007, the offender submitted urine specimen(s) that tested positive for Cocaine. On May 31 and October 19, 2006, the offender submitted urine specimen(s) which tested positive for marijuana. All specimens were confirmed positive by Scientific Testing Laboratories, Inc.

2	The offender has violated the supervision condition which states ' The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office. '
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Due to Gambino's continued drug use and criminal behavior, she was unsuccessfully discharged from Daytop Village, an outpatient drug treatment program on July 26, 2006.

- 3 The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.**'

Following her discharge from Daytop Village, Gambino was referred to Serendipity, an inpatient long-term drug treatment facility on July 27, 2006. Due to her resistance and delay in reporting to the facility, her bed (placement) in the aforementioned program was subsequently lost.

- 4 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On August 7, 2007, a Daytop Village employee, who misplaced a money order for \$558, received confirmation that the money order had been cashed in the Bronx, New York, in Ms. Gambino's mother, Maria Leonardo's name. On August 8, 2007, Gambino admitted she stole the money order and sent it to a prepaid credit card. No formal charges were filed against the offender.

I declare under penalty of perjury that the foregoing is true and correct.

By: Elizabeth Villa, *EVilla*
U.S. Probation Officer
Date: 10/29/07

THE COURT ORDERS:

- ☒ The Issuance of a Summons. Date of Hearing: 17 DEC. 2007 @ 9:30 AM
☐ The Issuance of a Warrant
☐ No Action
☐ Other

[Signature]
Signature of Judicial Officer

11/26/07
Date

Dennis M. Cavanaugh
U.S. District Judge